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Attorneys for Defendants
 CONTRA COSTA COUNTY, ET AL.

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

CLARK WALKER,
 Plaintiff,

v.

CONTRA COSTA COUNTY, KEITH
 RICHTER, and RICHARD GRACE,
 Defendants.

AND RELATED CASE.

NOS. C05-2800 TEH
 C03-3723 TEH

**STIPULATION AND ~~PROPOSED~~
 ORDER TO RECESS THE TRIAL ON
 NOVEMBER 15, 2006**

1 Plaintiff CLARK WALKER ("Chief Walker") and Defendants CONTRA COSTA
 2 COUNTY, KEITH RICHTER, and RICHARD GRACE, by and through their respective counsel,
 3 jointly apply for an Order, pursuant to Civil Local Rule 6-2, to recess the trial for one day only on
 4 November 15, 2006.

5 Good cause exists to recess the trial on November 15, 2006, because lead counsel for
 6 both parties are scheduled to appear before the United States Court of Appeals for the Ninth Circuit
 7 for oral argument in *Rayon-Terrell v. Contra Costa County, et al.*, No. 04-17228, CV-02-02759-
 8 MMC. The Notice of Appeal in that matter was originally filed on November 2, 2004. On October
 9 2, 2006, the Ninth Circuit issued its Notice of Cases Set for Hearing setting oral argument on the
 10 appeal for the morning of November 15th at 9:00 a.m. (See Exhibit A to the Declaration of Pamela
 11 Y. Price In Support of Stipulation and [Proposed] Order to Recess Trial filed concurrently
 12 herewith.) Counsel for Chief Walker herein represents the Appellant Donna Rayon-Terrell.
 13 County Counsel for Defendant Contra Costa County represents the County and Defendant Keith
 14 Richter in the *Rayon-Terrell* case. Therefore, the parties respectfully request that the trial be
 15 recessed for one (1) day only on November 15, 2006.

16 DATED: October 11, 2006

PRICE AND ASSOCIATES

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19 /s/

20 PAMELA Y. PRICE, Attorneys for
 21 Plaintiff CLARK WALKER

22 DATED: October 12, 2006

SILVANO B. MARCHESI, County Counsel

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25 /s/

26 BERNARD L. KNAPP, Deputy County Counsel,
 27 Attorneys for Defendants CONTRA COSTA
 28 COUNTY, KEITH RICHTER, and RICHARD
 GRACE

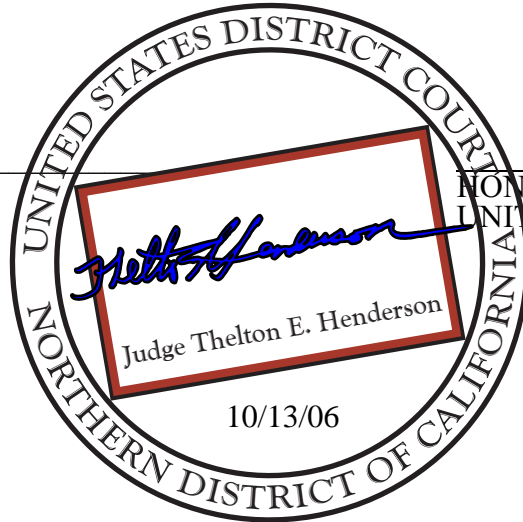
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ORDER

Pursuant to the foregoing Stipulation and good cause appearing therefor, **IT IS**
HEREBY ORDERED that the trial shall be recessed for one (1) day on November 15, 2006.

Date: _____



HON. THELTON E. HENDERSON
UNITED STATES DISTRICT JUDGE